

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THEODORE STEVENS,

Plaintiff

v.

SUWE, et al.,

Defendants

Case No. 3:23-cv-00427-ART-CSD

ORDER

On September 5, 2023, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* (“IFP”) or pay the full \$402 filing fee for a civil action on or before November 6, 2023. (ECF No. 7). That deadline expired and Plaintiff neither paid the filing fee nor filed an IFP application. Plaintiff instead filed motions asking the Court to stay this action and extend the filing-fee deadline, arguing that he is in the process of exhausting his administrative remedies. (ECF Nos. 8, 9). Plaintiff also filed notices asking the defendants if they will stipulate that he’s exhausted his administrative remedies. (ECF Nos. 10, 11). Finally, Plaintiff filed a motion asking the Court to enter an order ruling on his motion to stay or extend the filing-fee deadline. (ECF No. 12).

Plaintiff’s request to stay this action so he can exhaust his administrative remedies is not reasonable, so the Court denies his motion for that relief. But the Court will grant Plaintiff a final extension of time to either pay the filing fee or apply for IFP status. And Plaintiff is cautioned that documents seeking relief from a party, like the notices at ECF Nos. 10 and 11, do not comply with the Court’s local rules. The Court’s rules provide that except in circumstances not relevant here, “an attorney or pro se party must not send case-related correspondences, such as letters, emails, or facsimiles, to the court. All communications with the court must be styled as a motion, stipulation, or notice, and must be filed in the court’s docket and served on all other attorneys and pro se parties.” Nev. Loc. R. IA 7-1(b).

1 IT IS THEREFORE ORDERED that Plaintiff's motion to stay this action (ECF
2 No. 8) is denied.

3 IT IS FURTHER ORDERED that Plaintiff's motion for a ruling on his motion to stay
4 this action (ECF No. 12) is denied as moot.

5 IT IS FURTHER ORDERED that Plaintiff's motion to extend the filing-fee deadline
6 (ECF No. 9) is granted.

7 IT IS FURTHER ORDERED that Plaintiff has until January 2, 2024, to either (1) file
8 a fully complete application to proceed *in forma pauperis*, on the correct form with
9 complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full
10 \$402 fee for filing a civil action, which includes the \$350 filing fee and the \$52
11 administrative fee.

12 IT IS FURTHER ORDERED that if Plaintiff fails to timely comply, this action will be
13 subject to dismissal without prejudice. Dismissal without prejudice allows Plaintiff to refile
14 his case with the Court, under a new case number, when he can either pay the required
15 filing fee or file a complete application to proceed *in forma pauperis*.

16 DATED THIS 1st day of December 2023.

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UNITED STATES MAGISTRATE JUDGE